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REMARKS/ARGUMENTS

Claims 9-19 and 21 are pending in this application.

Applicants appreciate the Examiner's indication that claims 10, 15-19 and 21 would be allowable if rewritten in independent form including all of the features recited in the base claim and any intervening claims.

Claims 9, 12 and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,545,347. Claims 11 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,545,347.

Applicants enclose herewith a Declaration under 37 C.F.R. § 1.132 which indicates that Mr. Mclellan (1) is an inventor in the present application, (2) invented all of the subject matter disclosed in U.S. Patent No. 6,545,347, and relied on in a prior art rejection of the claims in the presently pending U.S. Patent Application No. 09/802,678, and (3) invented the common subject matter disclosed in U.S. Patent No. 6,545,347 and the presently pending U.S. Patent Application No. 09/802,678.

Applicants note that the name of the inventor printed on U.S. Patent No. 6,545,347 is incorrectly listed as Neil McClellan, instead of Neil Mclellan. As evidence that the name listed on U.S. Patent No. 6,545,347 is incorrect, Applicants attach hereto a copy of the Application Data from PAIR and a copy of the first page of Patent Application Publication No. US 2002/0125559 A1 which corresponds to U.S. Patent No. 6,545,347, both of which correctly list the invention as Neil Mclellan.

Thus, Applicants respectfully submit that U.S. Patent No. 6,545,347 is disqualified as prior art in the present application, in view of the enclosed Declaration under 37 C.F.R. § 1.132.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 9, 12 and 13 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,545,347, and the rejection of claims 11 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,545,347.

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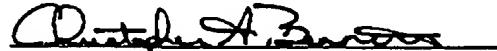
In view of the foregoing remarks and the enclosed Declaration under 37 C.F.R. § 1.132, Applicants respectfully submit that Claims 9-19 and 21 are allowable.

In view of the foregoing remarks and the enclosed Declaration under 37 C.F.R. § 1.132, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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